

TENNESSEE REGULATORY AUTHORITY

Sara Kyle, Chairman
Lynn Greer, Director
Melvin Malone, Director



460 James Robertson Parkway
Nashville, Tennessee 37243-0505

August 17, 2001

Tomas M. Forte
Technologies Management, Inc.
210 N. Park Ave.
Winter Park, Florida 32789

RE: Docket # 01-00693

Dear Mr. Forte:

By statute CLEC applicants are required to demonstrate their managerial, financial and technical abilities to provide the services for which they seek authority. To assist the Authority in its review of Ciera Network Systems, Inc. application for a Certificate of Convenience and Necessity to provide facilities-based and resold local exchange and interexchange telecommunications services within the state of Tennessee, you are requested to provide the information on the attachment.

Please provide this information by August 29, 2001. If you have any questions concerning this request or need additional information, please call Patsy Fulton at 615-741-2904 ext. 193.

Sincerely,

A handwritten signature in black ink, appearing to read "David Waddell".

David Waddell, Executive Secretary

Attachment
Cc: Docket File

Ciera Network Systems, Inc.
Data Request
August 17, 2001

1. On March 10, 2000, the Tennessee General Assembly enacted Public Chapter 586 which amends Tennessee Code Annotated §65-4-125, "Changes in telecommunication service provider - Regulation - Enforcement." Section 3 of this act states as follows:

Section 3. Tennessee Code Annotated, Section 65-4-125, is amended by adding the following as a new, appropriately designated subsection:

j. By September 1, 2000, all telecommunications service providers subject to the control and jurisdiction of the authority, except those owners or operators of public [pay] telephone service who pay annual inspection and supervision fees pursuant to Tennessee Code Annotated, Section 65-4-301(b), or any telecommunications service provider that owns and operates equipment facilities in Tennessee with a value of more than five million dollars (\$5,000,000), shall file with the authority a corporate surety bond or irrevocable letter of credit in the amount of twenty thousand dollars (\$20,000) to secure the payment of any monetary sanction imposed in any enforcement proceeding, brought under this title or the Consumer Telemarketing Protection Act of 1990, by or on behalf of the authority.

Pursuant to the above statute, the following will be due to the Tennessee Regulatory Authority ("TRA"), prior to completing the processing of your application for a Certificate of Public Convenience and Necessity.

1. A corporate surety bond in form and substance similar to the attached form (Sample#1) in the amount of \$20,000; or
 2. An irrevocable letter of credit in form and substance similar to the attached form (Sample#2) in the amount of \$20,000; or
 3. Documentary evidence that you own and operate equipment facilities in Tennessee worth more than \$5,000,000.
2. Please provide a Balance Sheet, Income Statement and Statement of Cash Flow on Ciera Network Systems, Inc.
 3. Please provide complete projected financial statements for the first three years of operation for Ciera Network Systems, Inc. This should be inclusive of balance sheets, income statements and cash flow statements.
 4. Applicant should serve notice of its application on the eighteen (18) incumbent local exchange telephone companies in Tennessee with a statement regarding the company's intention of operating geographically. The TRA requires a written certificate of service from the applicant.

5. Please identify all complaints filed with regulatory agencies involving your company or affiliated entities. Identify the nature of the complaint, which governmental agency or office received the complaint, how was the complaint resolved?

6. Numbering Issues

Please provide answers to the following questions concerning numbering within your proposed service area.

1. What is your company's expected demand for NXXs per NPA within a year of approval of your application?
2. How many NXXs do you estimate that you will request from NANPA when you establish your service footprint?
3. When and in what NPA do you expect to establish your service footprint?
4. Will the company sequentially assign telephone numbers within NXXs?
5. What measures does the company intend to take to conserve Tennessee numbering resources?
6. When ordering new NXXs for growth, what percentage fill of an existing NXX does the company use to determine when a request for a new NXX will be initiated?

7. Tennessee Specific Operational Issues

Please provide answers to the following questions concerning Tennessee Specific Operational Issues.

1. How does the company intend to comply with TCA §65-21-114? In its description, please explain technically how the company will not bill for countywide calls within Tennessee.
2. Is the company aware of the Tennessee County Wide Calling database maintained by BellSouth and the procedures to enter your telephone numbers on the database?
3. Is your company aware of the local calling areas provided by the Incumbent Local Exchange Carriers in your proposed service areas?
4. Explain the procedures that will be implemented to assure that your customers will not be billed long distance charges for calls within the metro area.

5. Please provide the name and telephone number of an employee of your company that will be responsible to work with the TRA on resolving customer complaints.
6. Does the company intend to telemarket its services in Tennessee? If yes, is the company aware of the telemarketing statutes and regulations found in TCA §65-4-401 *et seq.* And Chapter 1220-4-11?
8. Applicant must state intent to comply with Tenn. Code Annotated § 65-4-201.